

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Marcus Mable, Jr.,

Plaintiff,

v.

Civ. No. 06-1283 (JNE/JJG)  
ORDER

Dean Hagen, Jodi Giddas, Florez,  
Hatch, Rutten, Monio, Symms,  
Stanley, Ayers, M. Green, and  
Kent Grandlienard,

Defendants.

In a Report and Recommendation dated May 8, 2006, the Honorable Jeanne J. Graham, United States Magistrate Judge, recommended that Plaintiff's applications to proceed without prepayment of fees be denied and that this action be dismissed without prejudice. Plaintiff did not object to the Report and Recommendation, but he did file a "Motion to Alter Judgement Rule 59(e)." In the motion, Plaintiff asks the Court to "alter or amend the . . . order issued against him." The Court construes the motion as an objection to the Report and Recommendation. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Plaintiff's Application to Proceed Without Prepayment of Fees [Docket No. 2] and Amended Application to Proceed Without Prepayment of Fees [Docket No. 13] are DENIED.
2. This action is DISMISSED WITHOUT PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 1, 2006

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge